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10/724,177	12/01/2003	Wen Hung Lien	MR2863-137	9384
4586	7590	10/05/2007	EXAMINER	
ROSENBERG, KLEIN & LEE			LEE, CHUN KUAN	
3458 ELLICOTT CENTER DRIVE-SUITE 101				
ELLICOTT CITY, MD 21043				
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			2181	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/724,177	Applicant(s) LIEN, WEN HUNG	
	Examiner Chun-Kuan (Mike) Lee	Art Unit 2181	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

RESPONSE TO ARGUMENTS

1. Applicant's arguments filed on 08/10/2007 have been fully considered but they are not persuasive. Currently, claims 1-7 are pending for examination.
2. In response to applicant's arguments, on page 8, 1st paragraph, regarding the amended independent claim 1 rejected under 35 U.S.C. 103(a) that the combination of references does not teach/suggested the newly amended claimed limitation of "... a casing configured for slidable insert in the access slot of the computer device ...", because Liu's external device can not accomplish the above claimed limitation; applicant's argument have fully been considered, but are not found to be persuasive.

Please note that one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

"Sun Blade – Installation Guide" does teach a casing configured for slidable insert in the access slot of the computer device (Page 12, Fig. 8).

3. In response to applicant's arguments, on page 8, 2nd paragraph, regarding the amended independent claim 1 rejected under 35 U.S.C. 103(a) that the combination of references does not teach/suggested the newly amended claimed limitation of "...

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transmitting ... in digital form for direct audio/video reproduction at the computer device without further data processing thereat ..." applicant's arguments have fully been considered, but are not found to be persuasive.

It is not fully clear to the examiner as to where in the Specification or the Drawings the above claimed limitation is supported or enabled. In accordance to the applicant's disclosure in the Drawings (Fig. 7), it appears that applicant's portable device is connected to the computer through the USB connector (Drawings, Fig. 7, ref. 22) and the Compact Disk Interface Connector (e.g. IDE) (Drawings, Fig. 7, ref. 21), and Liu does teach the connection of the external device (Liu, Fig. 2, ref. 40) to the computer (e.g. PC) through the USB and the IDE connector (Liu, Fig. 2, ref. 83).

I. INFORMATION CONCERNING OATH/DECLARATION

Oath/Declaration

4. The applicant's oath/declaration has been reviewed by the examiner and is found to conform to the requirements prescribed in **37 C.F.R. 1.63**.

II. INFORMATION CONCERNING DRAWINGS

Drawings

5. The applicant's drawings submitted are acceptable for examination purposes.

III. REJECTIONS BASED ON 35 U.S.C. 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

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The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claims 1-7 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

As per claim 1, it appears unclear to the examiner as to where in applicant's Specification/Drawings support/enable the newly amended claimed limitation of "... transmitting ... in digital form for direct audio/video reproduction at the computer device without further data processing thereat ..."; the examiner will assume the following claimed limitation of "... transmitting ... directly ..." for the current examination.

As per claims 2-7, dependent claims 2-7 are rejected at least due to direct/indirect dependency on the rejected independent claim 1.

IV. REJECTIONS BASED ON PRIOR ART

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1 and 4-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liu et al. (US Patent. 6,704,814) in view of Shu et al. (US Patent 6,598,100) and "Sun Blade – Installation Guide".

8. As per claim 1, Liu teaches a portable digital audio/video device adapted (Fig. 1) to be plugged into a computer device (Fig. 3, ref. PC) and removable from computer device, comprising:

a casing (housing 10 of Fig. 1) having an inner space (col. 3, l. 1);

a disk supporting plate (Fig. 1, ref. 20) for supporting a compact disk thereon, the compact disk having data with specific data format (e.g. music CD, VCD, MP3) (col. 1, ll. 58-59 and col. 3, ll. 38-40);

an operation panel with a display unit (display panel 31 of Fig. 1) and a button set (push button 32 of Fig. 1) (col. 3, ll. 16-17);

a control circuit with a corresponding audio/video data processing circuit (CPU 60 of Fig. 1) for encoding and decoding an audio/video signal in correspondence to the data stored in the compact disk (col. 3, ll. 32-40); and

means for connecting (output/input unit 90 of Fig. 1) the portable digital audio/video device and the computer device (Fig. 3, ref. PC), and transmitting the audio/video signal from the portable digital audio/video device to the computer device directly (e.g. USB, IDE) (Fig. 3, and col. 4, ll. 40-64);

wherein the computer device accesses and plays the signal generated by the control circuit when the portable digital audio/video device is connected the computer

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device (col. 4, ll. 40-64), and the portable digital audio/video device plays the audio/video signal independently when the portable digital audio/video device is removed from the access slot of the computer device (col. 4, ll. 21-39).

Liu does not teach the portable digital audio/video device comprising:

an access slot;

the casing configure for slidable insert ...;

the disk supporting plate retractable into the inner space of the casing;

the operation panel formed on a front end of the casing; and

the control circuit identifying the data format of the data stored in the compact disk and selectable activating.

Shu teaches a optical disk player comprising:

operation button set is arranged on a front panel (col. 2, ll. 26-27); and

a AV processor determining the format of the data read and selectively triggering (e.g. activating) a corresponding decoding circuit according to the data format (col. 2, ll. 20-25).

It would have been obvious to one of ordinary skill in this art, at the time of invention was made to include Shu's AV processor into Liu's portable digital audio/video device for the benefit of integrating the function of DSC and MP3 into the optical disk player such as the portable digital audio/video device (Shu, col. 1, ll. 33-34) to obtain the invention as specified in claim 1.

"Sun Blade – Installation Guide" teaches a computer system comprising an access slot formed on a computer device where a CD-ROM is installed, wherein the CD-ROM have a casing configured for slidable insert in the access slot of the computer device, and wherein the CD-ROM obviously have a tray for the receiving/ejecting of the CD, wherein the tray is retractable into the CD-ROM (Fig. 8 on page 12).

It would have been obvious to one of ordinary skill in this art, at the time of invention was made to include Sun Blade – Installation Guide's CD-ROM into Liu and Shu's portable digital audio/video device for the benefit of proper installation of the portable digital audio/video device into a computer system ("Sun Blade – Installation Guide", page 12) to obtain the invention as specified in claim 1.

9. As per claim 4, Liu, Shu and "Sun Blade – Installation Guide" teach all the limitations of claim 1 as discussed above, where Liu further teaches the portable digital audio/video device comprising wherein the casing of the device is equipped with an earphone slot (Liu, col. 4, ll. 31-39).

10. As per claim 5, Liu, Shu and "Sun Blade – Installation Guide" teach all the limitations of claim 1 as discussed above, where Liu and "Sun Blade – Installation Guide" further teach the portable digital audio/video device comprising wherein the connecting means comprises:

a first disk interface connector (Liu, Fig. 1, ref. 90), installed in the casing (Liu, Fig. 1, ref. 10) and connected to the control circuit (Liu, Fig. 1, ref. 60) (Liu, col. 3, ll. 51-56); and

a second disk interface connector, installed inside the access slot of the computer device, and connected to the first disk interface connector of the casing (Sun Blade – Installation Guide, page 6, Fig. 4 and page 12, Fig. 8), wherein the second disk interface connector is the IDE1 to be utilized for the connection to the CD/DVD-ROM drive.

11. As per claim 6, Liu, Shu and "Sun Blade – Installation Guide" teach all the limitations of claim 1 as discussed above, where Liu and "Sun Blade – Installation Guide" further teach the portable digital audio/video device comprising wherein the connecting means comprises:

a first USB port connector (Liu, Fig. 1, ref. 90), installed inside the casing (Liu, Fig. 1, ref. 10) and connected to the control circuit (Liu, Fig. 1, ref. 90) (Liu, col. 3, ll. 51-56); and

a second USB port connector, installed inside the access slot of the computer device and connected to the first USB port connector of the casing (Liu, col. 3, ll. 51-56; Sun Blade – Installation Guide, page 6, Fig. 4 and page 12, Fig. 8), as the IDE1 to be utilized for the connection to the CD/DVD-ROM drive is implemented as the USB port connector.

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12. As per claim 7, Liu, Shu and "Sun Blade – Installation Guide" teach all the limitations of claim 1 as discussed above, where Liu further teaches the portable digital audio/video device further comprising an analog audio/video signal output connector (Liu, Fig. 1-2, ref. 90), installed in the casing (Liu, Fig. 1, ref. 10), and connected to the control circuit (Liu, Fig. 1-2, ref. 60), the analog audio/video signal output connector further comprising an audio signal socket (e.g. socket connect to the earphone or speaker) (Liu, Fig. 2, ref. 90, 82) and a video output slot (e.g. slot connect to the TV) (Liu, Fig. 1, ref. 90, 81) for outputting the analog audio/video signals (col. 4, ll. 21-30), as the signal is outputted to the TV and speaker.

13. Claim 2-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liu et al. (US Patent. 6,704,814) in view of Shu et al. (US Patent 6,598,100) and "Sun Blade – Installation Guide" as applied to claim 1 above, and further in view of Shing (US Pub.: 2005/0076304).

14. As per claim 2, Liu, Shu and "Sun Blade – Installation Guide" teach all the limitations of claim 1 as discussed above, where Liu and Shu further teach the portable digital audio/video device comprising:

means for reading (Shu, adapting interface 2 of Fig. 1) the data stored in the disk (Shu, col. 1, l. 64 to col. 2, l. 5);

a disk data format identification circuit (Shu, Fig. 1, ref. 12), for identifying the read data format of the data stored in the disk (Shu, col. 2, ll. 20-25); and

a demultiplexor (Liu, Fig. 2, ref. 50) having an input port connected to the data reading means and a plurality of output data paths (Liu, Fig. 2, ref. 80, 90), for selecting one of the data paths based on the identified data format of the read data (Shu, Fig. 3, ref. 12, 16, 30 and col. 3, ll. 7-12);

a decoding circuit (Shu, Fig. 3, ref. 16) connected to the corresponding output data path of the demultiplexor processing and decoding the read data transmitted from the demultiplexor (Shu, col. 2, ll. 36-39 and col. 3, ll. 7-12); and

a digital-to-analog converter (DAC) (Fig. 1, ref. 18) for converting the audio data prior to outputting as an analog audio signal (Shu, col. 2, ll. 44-51).

Liu, Shu and "Sun Blade – Installation Guide" do not teach the portable digital audio/video device comprising:

a plurality of audio/video data processing circuits;

a multiplexor having a plurality of input data paths connected to the audio/video data processing circuits respectively and an output port, for receiving the processed audio/video data from one of the data processing circuits and transmitting the processed audio/video data at its output port; and

means for converting the audio/video data transmitted from the output port of the multiplexor into an analog audio/video signals.

Shing teaches a system and method comprising a demultiplexor (Fig. 2, ref 216) connected to a plurality of audio/video decoders (Fig. 2, ref. 220, 222, 224, 226, 228); a audio renderer (Fig. 2, ref. 230) and a video renderer (Fig. 2, ref. 232) receiving decoded outputs from the plurality of audio/video decoders and outputting the

corresponding audio (Fig. 2, ref. 234) and video (Fig. 2, ref. 236) (Fig. 2 and [0029]), wherein it would have been obvious for the audio renderer and the video renderer to include a multiplexer or the like in order to properly route one of the received decoded data to the output;

It would have been obvious to one of ordinary skill in this art, at the time of invention was made to include Shing's decoders and renderers into Liu, Shu and Sun Blade – Installation Guide's portable digital audio/video device for the benefit of remote playing of an optical disk such as a DVD or a Video CD (Shing, [0006]) to obtain the invention as specified in claim 2. The resulting combination of the references further teaches the portable digital audio/video device comprising:

the demultiplexor receiving data from the optical disk and selecting the output path for the received data to one of the plurality of audio/video decoders based on the identified data format of the read data;

the audio and video renderers would obvious multiplexing the received data from the plurality of input data paths connected to the plurality of audio/video decoders for outputting the corresponding audio and video data; and

the DAC coupled to the output of the audio and obvious video renderer for converting the data to the analog audio and video signals.

15. As per claim 3, Liu, Shu, "Sun Blade – Installation Guide" and Shing teach all the limitations of claim 2 as discussed above, where Liu further teaches the portable digital audio/video device comprising wherein the audio/video data processing circuits at least

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comprises an MP3 data processing circuit (e.g. for MP3), an audio data processing circuit (e.g. for general music CDs), an audio/video data processing circuit (e.g. for VCD) (Liu, col.1, ll. 58-59 and col. 3, ll. 32-40).

V. CLOSING COMMENTS

Conclusion

a. STATUS OF CLAIMS IN THE APPLICATION

The following is a summary of the treatment and status of all claims in the application as recommended by M.P.E.P. 707.07(i):

a(1) CLAIMS REJECTED IN THE APPLICATION

Per the instant office action, claims 1-7 have received a final action on the merits. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

b. DIRECTION OF FUTURE CORRESPONDENCES

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chun-Kuan (Mike) Lee whose telephone number is (571) 272-0671. The examiner can normally be reached on 8AM to 5PM.

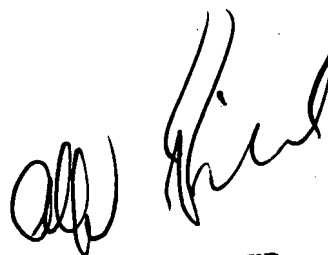
IMPORTANT NOTE

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alford Kindred can be reached on (571) 272-4037. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

September 27, 2007

Chun-Kuan (Mike) Lee
Examiner
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A handwritten signature in black ink, appearing to read 'Alford Kindred', is written over a rectangular stamp.

ALFORD KINDRED
PRIMARY EXAMINER